

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

JERONE MCDOUGALD,	:	Case No. 2:19-cv-257
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Stephanie K.
	:	Bowman
ANDREW EDDY, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY  
ADOPTING THE REPORTS AND RECOMMENDATIONS  
OF THE UNITED STATES MAGISTRATE JUDGE (Docs. 10, 17)**

This case is before this Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman.

On January 25, 2019, Plaintiff filed a motion to proceed *in forma pauperis*. (Doc. 1). On April 22, 2019, this Court issued an Order: (1) denying Plaintiff's motion to proceed *in forma pauperis*; and (2) ordering Plaintiff to pay the full \$400 filing fee within 30 days (the "First *Pauperis* Order").<sup>1</sup> (Doc. 6). Subsequently, the Magistrate Judge issued an Order, reiterating that Plaintiff was required to comply with the First *Pauperis* Order (the "Second *Pauperis* Order"). (Doc. 13).

On April 29, 2019, Plaintiff appealed the First *Pauperis* Order. (Doc. 7). And on October 2, 2019, Plaintiff appealed the Second *Pauperis* Order. (Doc. 14). With respect to each appeal, Plaintiff filed a motion to proceed *in forma pauperis* on appeal. (Docs. 8,

---

<sup>1</sup> More specifically, the Court adopted the Magistrate Judge's well-reasoned Report and Recommendation, recommending as much. (Doc. 4).

15). The Sixth Circuit has dismissed each of Plaintiff's appeals for want of prosecution. (Docs. 12, 18). However, Plaintiff's motions to proceed *in forma pauperis* on appeal remain pending. (Docs. 8, 15).

The Magistrate Judge has issued two Reports and Recommendations, recommending the denial of Plaintiff's motions to proceed *in forma pauperis* on appeal. (Docs. 10, 17). In each Report and Recommendation, the Magistrate Judge confirms that "[Plaintiff] is prohibited from obtaining pauper status on appeal pursuant to the 'three strikes' provision set forth in 28 U.S.C. § 1915(g)." (Doc. 10 at 1–2; Doc. 17 at 2). Plaintiff has not objected (timely or otherwise) to either Report and Recommendation.

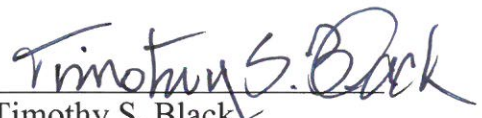
As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), this Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, this Court finds that the Reports and Recommendations should be and are hereby adopted in their entirety.

Accordingly:

1. This Court **ADOPTS** the Reports and Recommendations (Docs. 10, 17);
2. This Court **DENIES** Plaintiff's motions to proceed *in forma pauperis* on appeal (Docs. 8, 15); and
3. This Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this Order would not be taken in good faith.

**IT IS SO ORDERED.**

Date: 12/20/19

  
Timothy S. Black  
United States District Judge